

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ISAAH RANSOME)	
)	Civil Action No. 22-128
Plaintiff,)	
)	
v.)	
)	District Judge Schwab
STEVEN LONGSTRETH,)	
MS. SHETKA, T. JOHNSON,)	Magistrate Judge Lenihan
T. LEWIS, MR. V. SANTOYO,)	
MR. HOWELLS, MR. TALLOT,)	
MICHAEL ZAKEN, MS. D. VARNER,)	
KERI MOORE, and TRACY SHAWLEY)	
)	ECF Nos. 16 & 25
Defendants.)	

MEMORANDUM ORDER

This civil action was commenced on January 20, 2022, when Plaintiff Isaiah Ransome filed a complaint without a Motion for Leave to Proceed in Forma Pauperis or filing fee. [ECF No. 1](#). On January 27, 2022, the Clerk of Court was directed to close the case and the Plaintiff was instructed regarding the requirements necessary to proceed in filing a civil action. [ECF No. 2](#). On February 16, 2022, Plaintiff filed a Motion for Leave to proceed in Forma Pauperis ([ECF No. 4](#)). That motion was granted ([ECF No. 6](#)) and the Complaint was docketed by the Clerk of Court on February 22, 2022 ([ECF No. 8](#)). The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation ([ECF No. 25](#)), filed on November 14, 2022, recommended that the Motion to Dismiss filed by Corrections Defendants Steven Longstreth, Ms. Shetka, T. Johnson, T. Lewis, Mr. V. Santoyo, Mr. Howells, Mr. Tallot, Michael Zaken, Ms. D. Varner, Keri Moore, and Tracy Shawley ([ECF No. 16](#)) be granted without

prejudice to Plaintiff filing an Amended Complaint only as to his claim against Defendants T. Johnson, T. Lewis, Mr. V. Santoyo, Mr. Howells, Mr. Tallot for First Amendment Access to the Courts. It was also recommended that the Motion be granted with prejudice as to all other claims against Defendants Steven Longstreth, Ms. Shetka, Michael Zaken, Ms. D. Varner, Keri Moore, and Tracy Shawley. It was further recommended that Defendants Steven Longstreth, Ms. Shetka, Michael Zaken, Ms. D. Varner, Keri Moore, and Tracy Shawley be terminated as party defendants. Finally, the Magistrate Judge noted that should the District Judge adopt the Report and Recommendation, it was further recommended that Plaintiff be allowed 30 days from the adoption of the Report and Recommendation to file his Amended Complaint as to the First Amendment Access to the Courts claim.

The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections, and that unregistered ECF users were given an additional three (3) days pursuant to Federal Rule of Civil Procedure 6(d). Objections for registered ECF Users were due on November 28, 2022. Objections for unregistered ECF Users were due by December 1, 2022. (ECF No. 30.) No objections have been filed.

After review of the pleadings, documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 13th day of December 2022,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Corrections Defendants Steven Longstreth, Ms. Shetka, T. Johnson, T. Lewis, Mr. V. Santoyo, Mr. Howells, Mr. Tallot, Michael Zaken, Ms. D. Varner, Keri Moore, and Tracy Shawley ([ECF No. 16](#)) **IS GRANTED WITHOUT PREJUDICE** to Plaintiff filing an Amended Complaint **ONLY** as to his claim

against Defendants T. Johnson, T. Lewis, Mr. V. Santoyo, Mr. Howells, Mr. Tallot for First Amendment Access to the Courts.

IT IF FURTHER ORDERED that the Motion **IS GRANTED WITH PREJUDICE** as to all other claims against Defendants Steven Longstreth, Ms. Shetka, Michael Zaken, Ms. D. Varner, Keri Moore, and Tracy Shawley.

IT IS FURTHER ORDERED that the Report and Recommendation ([ECF No. 25](#)) of Magistrate Judge Lenihan, dated November 14, 2022, is adopted as the Opinion of the Court.

IT IF FURTHER ORDERED that the Clerk of Court shall terminate Defendants Steven Longstreth, Ms. Shetka, Michael Zaken, Ms. D. Varner, Keri Moore, and Tracy Shawley as party defendants.

Finally, it is **ORDERED** that Plaintiff shall have until **January 20, 2023** to file an Amended Complaint as to the First Amendment Access to the Courts claim only, if he so desires. Should Plaintiff fail to file an Amended Complaint by the **January 20, 2023** deadline, the First Amendment Access to the Courts claim will be dismissed with prejudice.

BY THE COURT:

s/Arthur J. Schwab
ARTHUR J. SCHWAB
UNITED STATES DISTRICT JUDGE

cc: All ecf-registered counsel of record

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